

**ASSEMBLY BILL**

**No. 1730**

**Introduced by Assembly Member Wright**

February 2, 1998

An act to amend Section 1808.21 of the Vehicle Code, relating to the Department of Motor Vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1730, as introduced, R. Wright. Department of Motor Vehicles: residence addresses: confidentiality.

Under existing law, the residence address in any record of the Department of Motor Vehicles is confidential, with specified exceptions.

This bill would add to those exceptions any institution of higher education acting on behalf of a security officer of that institution, as described in a specified provision of the Penal Code.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 1808.21 of the Vehicle Code is
- 2 amended to read:
- 3 1808.21. (a) Any residence address in any record of
- 4 the department is confidential and shall not be disclosed
- 5 to any person, except ~~a~~ *to any of the following*:
- 6 (1) A court;
- 7 (2) A law enforcement agency; ~~or~~

1 (3) Any institution of higher education acting on  
2 behalf of a security officer of that institution, as described  
3 in subdivision (b) of Section 830.7 of the Penal Code.

4 (4) Any other government agency, ~~or as~~.

5 (5) Any person or entity authorized ~~in~~ by Section  
6 1808.22 or 1808.23.

7 ~~(b) Release—~~The release of any mailing address or part  
8 ~~thereof~~ of a mailing address in any record of the  
9 department may be restricted to a release for purposes  
10 related to the reasons for which the information was  
11 collected, including, but not limited to, the assessment of  
12 driver risk, or ownership of vehicles or vessels. This  
13 restriction does not apply to a release to a court, a law  
14 enforcement agency, or other governmental agency, or  
15 a person who has been issued a requester code pursuant  
16 to Section 1810.2.

17 (c) Any person providing the department with a  
18 mailing address shall declare, under penalty of perjury,  
19 that the mailing address is a valid, existing, and accurate  
20 mailing address and shall consent to receive service of  
21 process pursuant to subdivision (b) of Section 415.20 of,  
22 subdivision (a) of Section 415.30 of, and Section 416.90 of,  
23 the Code of Civil Procedure at the mailing address.

24 (d) (1) Any registration or driver's license record of  
25 a person may be suppressed from any other person,  
26 except those persons specified in subdivision (a), if the  
27 person requesting the suppression submits verification  
28 acceptable to the department that he or she has  
29 reasonable cause to believe either of the following:

30 (A) That he or she is the subject of stalking, as specified  
31 in Section 1708.7 of the Civil Code or Section 646.9 of the  
32 Penal Code.

33 (B) That there exists a threat of death or great bodily  
34 injury to his or her person, as defined in subdivision (d)  
35 of Section 12022.7 of the Penal Code.

36 (2) Upon suppression of a record, each request for  
37 information about that record shall be authorized by the  
38 subject of the record or verified as legitimate by other  
39 investigative means by the department before the  
40 information is released.

1 (e) Suppression of a record pursuant to subdivision  
2 (d) shall occur for one year after approval by the  
3 department. Not less than 60 days prior to the date the  
4 suppression of the record would otherwise expire, the  
5 department shall notify the subject of the record of its  
6 impending expiration. The suppression may be  
7 continued for a period determined by the department if  
8 the person submits verification acceptable to the  
9 department that he or she continues to have reasonable  
10 cause to believe that he or she is the subject of stalking.  
11 The notification shall instruct the person of the method  
12 to reapply for record suppression.

13 ~~For~~  
14 (f) *For* the purposes of subdivisions (d) and (e),  
15 “verification acceptable to the department” means  
16 recent police reports, court documentation, or other  
17 documentation from a law enforcement agency.

